

U.S. Department of Justice

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July 13, 2017

Honorable Judge Jones
Federal Courthouse
517 E Wisconsin Avenue
Milwaukee, Wisconsin 53202

In re: United States v. Samy Mohammed Hamzeh
16-CR-21

Dear Honorable Judge Jones:

Enclosed with this letter are three discs (Disc 98; Disc 99 – Part 1; and Disc 99 – Part 2) which together contain the entire post-arrest interview of Samy Hamzeh.

As you will see, the interview begins at approximately 3:43pm, shortly after Hamzeh was arrested. (Disc 98). The first segment of the interview, which lasts for a little over 30 minutes, takes place while agents are traveling with Hamzeh from Pleasant Prairie, Wisconsin (where Hamzeh was arrested in possession of two machineguns and a silencer), to Milwaukee. During this portion of the interview, Hamzeh acknowledges that he purchased the firearms, that he knew the firearms were illegal, and that he knew that he had purchased automatic firearms. But he also falsely claims that the guns were Mike's idea and that his only intention was to shoot the guns at a range, claims that he reversed later in the interview. (Disc 98, 15:48 to 15:52).

The interview continues after the agents and Hamzeh arrive in Milwaukee. (Disc 99 - Part 1, File MVI_0022; Disc 99 - Part 1, File MVI_0023). During that portion of the interview, Hamzeh continues to acknowledge that he purchased the firearms, but he denies that he had ever – as an agent put it in his question – planned “some sort of attack in Milwaukee.” (MVI_0023 at 17:45). Hamzeh is provided multiple opportunities in that segment of the interview to acknowledge at least having discussed some sort of attack. An agent finally asks Hamzeh, “So you didn’t drive by any particular place, looking at a place, and saying, you know, ‘that would be a good place to attack.’ That never happened?” After Hamzeh denies that that ever happened, the agent asks, “Did you guys [referring to Steve and Mike] ever find a place and actually go inside somewhere and look at some place?” (MVI_0023 at 30:50). Hamzeh responds, “Okay. I got what you’re saying now.” Hanging his head, he continues, “To be honest honest, we were thinking about something like that. . . . We were going to go to some place and were going to do this.” (MVI_0023 at 31:24 to 34:20).

Hamzeh goes on to acknowledge that he, Steve, and Mike toured the Masonic temple. He also describes the plan as something all three of them devised, without any one person being more

responsible than the others. (MVI_0023 at 40:08 to 41:44). Hamzeh's description of the planned attack not being "any one person's decision more than the others" is undermined by a recorded conversation among the three of them after they had taken the temple tour. *See* Govt. Resp. at 3-6. It is clear from that conversation (and from statements of other witnesses) that Hamzeh was the leader of this group. And Hamzeh ultimately admits in his post-arrest interview that he was the leader.

Hamzeh goes on to claim to the agents that he had a change of heart after touring the temple and seeing the people there. He says that after the tour he thought, "these are normal people, why are we going to do this against normal people? (MVI_0023 at 55:48 to 57:30). But in fact, it was *following* the tour that Hamzeh had the conversation with Steve and Mike about shooting the receptionist two or three times in the stomach, spraying the temple with bullets, killing everyone inside, and hoping to kill 30 people. *See* Govt. Resp. at 3-6.

Finally, near the conclusion of the interview, Hamzeh acknowledges that, contrary to his earlier claims, he was the leader of the group. "The other two guys, they were listening to me. Like, I was telling them everything. . . . I am more religious than them, so they believe me. They do anything I want to do. I'm controlling the thing. I was controlling them." (Disc 99, Part 2, File MVI_0024 at 4:27). He later emphasizes, "I got the idea about it. Then I told them about it. I'm the one who told them about it, to be honest with you. I'm the one who told them about it. And I'm the one who stopped it." (MVI_0024 at 10:44 to 10:53).


In his post-arrest statement, Hamzeh's admits that he committed the offense with which he is charged. He admits that he knowingly received and possessed machineguns and a silencer. He also admits that he was the leader of a plot to use those firearms to commit mass murder at a Masonic temple. While Hamzeh ultimately did not commit the attack as he had planned, his dangerousness is further evidenced by the fact that (1) he admitted that "If the Imam said 'okay,' I'm going to do it. I'm going to be honest, I'm going to do it." and (2) despite his claim to have abandoned his plan, he still went and obtained three exceptionally dangerous offensive weapons. All of this, along with the facts discussed in the governments' written submission and at the detention hearing in this matter, demonstrate that Hamzeh is a danger to the community and that no combination of conditions protect the community's safety.

If you have any further questions about this matter, please contact me at 414-297-4581.

Sincerely,

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